

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ORLANDO JACOBS,)
Plaintiff,) Civil Action No. 2: 15-cv-1254
v.) United States Magistrate Judge
ORLANDO HARPER, Warden of) Cynthia Reed Eddy
Allegheny County Prison, et al.,)
Defendants.)

MEMORANDUM AND ORDER

1. Plaintiff's request to proceed in forma pauperis (ECF No. 1) is **GRANTED** to the extent that the case may proceed without the prepayment of the entire filing fee and the Clerk of Court is directed to file the Complaint.

2. Pursuant to the Prison Litigation Reform Act, the Warden / Superintendent of the institution where this inmate is incarcerated is directed to remit from the prisoner's account, in monthly installments, the full \$350.00 fee. Enclosed is a copy of the Plaintiff's signed Authorization. Specifically, **IT IS HEREBY ORDERED** that as soon as funds are available in the inmate's prison account, the Superintendent shall submit an initial partial payment of 20 percent of the greater of:

- (a) the average monthly balance in the inmate's prison account for the past six months, or
- (b) the average deposits into the inmate's prison account for the past six months.

In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the Western District of Pennsylvania equaling 20% of the preceding month's income credited to the

prisoner's account until the fees are paid. The warden, or his or her designee, shall forward payments to the appropriate courts sequentially if there are multiple orders, rather than collecting multiple fees at the same time which would exceed 20% of the prisoner's account.

Each payment shall be clearly identified by the name and number of the prisoner and the number assigned to this action. Payments must be made payable to "Clerk, U.S. District Court of the Western District of Pennsylvania" and transmitted to:

Clerk of Court
U. S. District Court
Western District of Pennsylvania
Civil Action 2:15-cv-1254
700 Grant Street, Room 3110
Pittsburgh, PA 15219

In the event the Plaintiff is transferred to a different correctional facility before the full filing fee is paid, you must forward this Order to the Superintendent/Warden of the receiving institution. This Order will be binding on the Superintendent/Warden of any correctional facility where the prisoner is incarcerated until the filing fee is paid in full in accordance with provisions of 28 U.S.C. § 1915(b)(1).

3. The Clerk of Court is directed to forward a copy of this Order to the Warden of Allegheny County Jail.

4. Plaintiff is warned that he is ultimately responsible for payment of the filing fee if the agency with custody over him lapses in its duty to make payments on his behalf. For this reason, if Plaintiff is transferred to another jail or correctional institution, Plaintiff should ensure that the new institution is informed about this lawsuit and the required monthly payments as set out herein. Plaintiff is advised to retain a copy of this Order for this purpose. This Order will be

binding on the Superintendent/Warden of any jail or correctional facility where Plaintiff is incarcerated until the filing fee is paid in full in accordance with the provisions of 28 U.S.C. § 1915(b)(1).

So **ORDERED** this 7th day of October, 2015.

/s Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

cc: ORLANDO JACOBS
Inmate Number 6609
Allegheny County Jail
950 2nd Avenue
Pittsburgh, PA 15219-3100

Inmate Account Office
Allegheny County Jail
950 2nd Avenue
Pittsburgh, PA 15219-3100